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FILED
JAN 17 2006
RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 HOWARD N. FLYNT,

15 Defendant.
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) No. CR 05-00486 MJJ

) **STIPULATION AND ~~PROPOSED~~**
) **ORDER FOR CONTINUANCE OF**
) **COURT DATE AND EXCLUSION**
) **OF TIME UNDER THE SPEEDY**
) **TRIAL ACT, 18 U.S.C. § 3161 ET**
) **SEQ.**

17 IT IS HEREBY STIPULATED, by and between the parties to this action, that the court date
18 in this case, currently scheduled for Thursday, January 12, 2006 at 2:00 p.m. in San Francisco,
19 California, before Honorable Judge Martin Jenkins, may be continued to Thursday, February 16,
20 2006, at 2:00 p.m., for change of plea. The status of the case is that parties are very close to a
21 resolution of the case which will result in a change of plea. The parties are continuing to
22 investigate issues relating to the change of plea. A continuance to February 16, 2006, is requested
23 because defense counsel will be out of the country from January 20, 2006 through January 29,
24 2006, and will then start a trial on February 6, 2006. A continuance to February 16, 2006, will
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26

STIP. CONTINUING
COURT DATE

1 allow counsel adequate time to review the plea agreement with Mr. Flynt prior to the change of
2 plea on February 16, 2006.

3 The parties stipulate that the time from January 12, 2006, to February 16, 2006, should be
4 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A)
5 and (B)(iv) for adequate preparation of counsel and continuity of counsel.
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8 DATED: January 13, 2006

/S/

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10 JOYCE LEAVITT
Assistant Federal Public Defender

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12 DATED: January 13, 2006

/S/

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14 CANDICE JAN
Assistant United States Attorney
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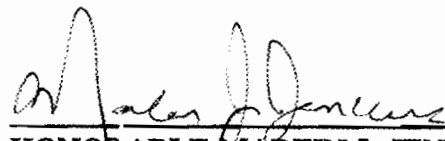
ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the court date in this case, currently scheduled for Thursday, January 12, 2006 at 2:00 p.m. in San Francisco, California, before Honorable Judge Martin Jenkins, may be continued to Thursday, February 16, 2006, at 2:00 p.m., for change of plea.

IT IS FURTHER ORDERED that the time from January 12, 2006, to February 16, 2006, shall be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for adequate preparation of counsel and continuity of counsel.

SO ORDERED.

DATED: 1/17/2006


HONORABLE MARTIN J. JENKINS
United States District Judge